DRAFT STATUTORY INSTRUMENTS

2016 No.

The Recall of MPs Act 2015 (Recall Petition) Regulations 2016

PART 3

CONDUCT

CHAPTER 4

Counting Signing Sheets

The count

39.—(1) The petition officer must take reasonable steps to begin counting the signatures given on the signing sheets as soon as practicable after the end of the signing period and, in any event, no later than one day after the end of that period.

(2) The petition officer must in the presence of any person mentioned in regulation 38 (attendance at counting of signatures) who attends the count—

   (a) count and record the number of signing sheets received by virtue of regulation 33(2)(b) or (4) (daily verification) and regulation 37(3) (procedure on close of petition);

   (b) verify the final signing sheet account for each petition signing place;

   (c) count such of the postal signing sheets as have been duly returned and record the number counted.

(3) In relation to a petition in England and Wales or Scotland, a postal signing sheet must not be taken to be duly returned unless—

   (a) it is returned in accordance with regulation 99 (alternative means of returning postal signing sheets, postal petition statements and declarations of identity);

   (b) it is accompanied by the postal petition statement, duly signed, and reaches the petition officer or a petition signing place before the end of the signing period;

   (c) the postal petition statement states the date of birth of the elector or proxy (as the case may be); and

   (d) the petition officer has verified the date of birth and signature of the elector or proxy (as the case may be) in accordance with regulation 107 (procedure in relation to postal petition statements).

(4) A postal signing sheet or postal petition statement that reaches the petition officer or a petition signing place after the end of the signing period is to be treated for the purposes of paragraph (3) as reaching that officer or place before the end of the signing period if it is delivered by a person who, at the end of the signing period, is in the petition signing place, or in a queue outside the petition signing place, for the purpose of returning it.

(5) In relation to a petition in Northern Ireland, a postal signing sheet must not be taken to be duly returned unless—

   (a) it is returned in accordance with regulation 99;

(b) it is returned in the proper envelope so as to reach the petition officer before the end of the signing period and is accompanied by the declaration of identity duly signed, and

(c) in the case of an elector, that declaration of identity states the date of birth of the elector, and the petition officer is satisfied that the date stated corresponds with the date supplied as the date of the elector's birth pursuant to section 10(4A)(b), 10A(1A)(b) or 13A(2A)(b) of the 1983 Act.

(6) In the case of an elector in Northern Ireland, unless section 10(4B), 10A(1B) or 13A(2B) of the 1983 Act applies, the declaration of identity referred to in paragraph (5) must be taken not to be duly signed unless the petition officer is satisfied that the signature on the declaration corresponds with the signature supplied as the elector's signature pursuant to section 10(4A)(a), 10A(1A)(a) or 13A(2A)(a) of that Act.

(7) The petition officer must not count any tendered signing sheets.

(8) The petition officer, while counting and recording the number of signing sheets and counting the signatures, must keep the signing sheets with their faces upwards and take all proper precautions for preventing any person from seeing the numbers or other unique identifying marks printed on the back of the sheets.

(9) The petition officer must verify the final signing sheet accounts for each petition signing place by comparing them with the number of signing sheets recorded by him or her, and the unused and spoilt signing sheets in his or her possession and the tendered signing list (opening and resealing the packets containing the unused and spoilt signing sheets and the tendered signing list) and must draw up a statement as to the result of the verification ("verification of signing sheet accounts").